



**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Inventors: Richard B. Keller                      Case: 012.P53003  
Serial No.: 09/836,970                      Filed: 04/17/2001  
Examiner: Kevin D. Mew                      Group Art Unit: 2616  
Confirmation No: 8488  
Title: UTILIZING AVAILABLE SONET OVERHEAD BYTES FOR ADDITIONAL  
SIGNALING CHANNELS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Dear Sir:

In response to the Notice of Allowance and Examiner's statement of reasons of allowance mailed on April 20, 2006, it is respectfully requested that the following comments be entered in the record of the above-referenced patent application.

COMMENTS

The Examiner's statements of reasons for allowance are hereby acknowledged by Assignee. Assignee agrees that the claimed subject matter is patentably distinct from the documents cited by the Examiner. However, Assignee takes no position regarding the reasons for allowance presented by the Examiner, other than the positions Assignee may have previously taken during prosecution of the above-referenced patent application. Therefore, the Examiner's reasons for allowance should not be attributed to Assignee as an indication of the basis for Assignee's belief that the claims are patentably distinct. Furthermore, it is respectfully asserted that there may also be additional reasons for patentability of the claimed subject matter not explicitly stated in this record. While, in accordance with 37 C.F.R. §1.104(e), a failure by the Assignee to disagree with the Examiner or file more detailed comments does not give rise to any implication that the Assignee agrees with or acquiesces in the reasoning of the Examiner, here, by this document, Assignee is expressly making clear that no such agreement or acquiescence is present.

Respectfully submitted,

Dated: July 20, 2006

Gregory C. Ranieri  
Gregory C. Ranieri  
Registration No. 29,695  
Attorney for Assignee

Customer No. 43831  
Berkeley Law and Technology Group, LLC  
1700 NW 167th Place, Suite 240  
Beaverton, OR 97006  
503-439-6500

Page 2

To: Mail Stop Issue Fee

From: Ilka Dalton for Gregory C. Rani

7-20-06 1:24pm p. 1 of 5

Please find attached for filing in connection with application no. 09/836,970, entitled UTILIZING AVAILABLE SONET OVERHEAD BYTES FOR ADDITIONAL SIGNALING CHANNELS, the following documents:



Issue Fee Form PTOL85B (1 page)

Comments on Statement of Reasons for Allowance (2 pages)

Ilka Dalton

Legal Assistant

Berkeley Law & Technology Group, LLC

1700 NW 167th Place, Suite 240

Beaverton, OR 97006

Telephone: 503.439.6500

Facsimile: 503.439.6558

idalton@bltg-ip.com

www.bltg-ip.com <<http://www.bltg-ip.com/>>

"Turning Innovations Into PatentsSM"

Privileged/Confidential Information may be contained in this message or in the attachments. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email.

**Berkeley Law &  
Technology Group, LLC**

1700 NW 167<sup>th</sup> Place, Suite 240  
Beaverton, OR 97006  
Phone: 503.439.6500  
Fax: 503.439.6558

# Fax

<b>To:</b>	Mail Stop Issue Fee	<b>From:</b>	Gregory Ranieri
<b>Fax:</b>	571.273.2885	<b>Pages:</b>	4 including this cover sheet
<b>Phone:</b>		<b>Date:</b>	July 20, 2006
<b>Our Ref:</b>	012,P53003	<b>CC:</b>	

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

Please find attached for filing in connection with application no. 09/836,970, entitled UTILIZING AVAILABLE SONET OVERHEAD BYTES FOR ADDITIONAL SIGNALING CHANNELS, the following documents:

- Issue Fee Form PTOL85B (1 page)
- Comments on Statement of Reasons for Allowance (2 pages)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

*I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office on:*

July 20, 2006

*Date of Transmission*

Ilka Dalton

*Name of Person Transmitting Correspondence*

*Signature*